

City Council Special and Regular Meetings, March 26, 2002

Twin Pines Senior and Community Center, 1223 Ralston Avenue

CALL TO ORDER – 6:30 P.M.

COUNCILMEMBERS PRESENT: Metropulos, Wright, Bauer Warden

COUNCILMEMBERS ABSENT: Cook

Staff Present: City Clerk Kern

PUBLIC/COUNCIL COMMENT

There were no public comments.

ART COMMISSION INTERVIEW

Ms. Allen, 907 Alameda, stated the commission had been busy working on a Public Art Policy which they would bring to Council in the near future. She said that she enjoyed being on this Commission and would like to partner with the various schools in the area to put together a City-wide Diversity Festival of the Arts. Ms. Allen stated that she was investigating the possibility of soliciting grants from various foundations. She said she thought this would be an asset, so the Arts Commission may be able to help defer costs to organizations such as the Belmont Community Players or funding for Sister City events.

REGULAR MEETING - 7:30 P.M.

ROLL CALL

COUNCILMEMBERS PRESENT: Metropulos, Wright, Bauer, Warden,

COUNCILMEMBERS ABSENT: Cook (arrived at 8:20 P.M.)

Staff Present: City Manager Kersnar, Assistant City Manager Rich, City Attorney Savaree, Community Development Director Ewing, Acting Public Works Director Jones, Finance Director Fil, Police Chief Janke, Parks and Recreation Director Mittelstadt, Human Resources Director Dolan, City Clerk Kern

PLEDGE OF ALLEGIANCE

Led by Girl Scout Troop 2718, Nesbit School, Troop Leader Dede Lehmkuhl.

SPECIAL PRESENTATIONS

Mayor's Proclamation declaring March 21, 2002 Michael Elkins' Day in the City of Belmont.

Mayor Warden read this Proclamation that he had presented to Michael Elkins on March 21, 2002, at the Ralston Award ceremony. He explained that Michael Elkins, Chair of the Theater Department of Notre Dame de Namur University had received the William Chapman Ralston Award for being instrumental in producing free productions, every holiday season, of "The Christmas Carol", which provided 3 tons of food and 1,750 toys for 8 local charities.

Mayor's Proclamation honoring Judy King for her induction into 2002 Women's Hall of Fame

Mayor Warden read this proclamation and presented it to Ms. King congratulating her on her induction into the Women's Hall of Fame.

Ms. King thanked the Mayor and Council and said it was an honor to be recognized by the City of Belmont.

PUBLIC COMMENTS AND ANNOUNCEMENTS

C.Schoenstein, 2504 Newlands, **M. Jacobs**, and **M. Hayes**, 1517 Harbor Blvd, stated that they had made a presentation to the Parks and Recreation Commission regarding skate parks and would like to make the same presentation to the Council in the near future.

Mayor Warden asked them to contact the City Clerk to arrange this presentation.

COUNCIL MEMBER COMMENTS AND ANNOUNCEMENTS

C.Bauer announced that an Easter egg hunt, pancake breakfast and blood drive would be held at Twin Pines Park on Saturday March 30, 2002.

C. Bauer announced that Ann Marie Becker, a student from Carlmont High School, had been inducted into the 2002 Women's Hall of Fame.

Mayor Warden requested that a Proclamation be prepared for Ms. Becker to be presented at a Council meeting in the near future.

Mayor Warden announced that the annual Easter egg hunt would start at 9:00 A. M. on March 30, 2002, in Twin Pines Park.

Mayor Warden announced that the Permit Center had opened, and that the grand opening would take place on Tuesday, April 2nd.

Mayor Warden displayed the new Belmont bumper strips and said they would be available at the City Clerk's office.

AGENDA AMENDMENTS (if any)

Mayor Warden announced that Consent Calendar item 4-E (award of bid to Insituform Technologies, Inc.) would be continued to April 10th.

CONSENT CALENDAR

Approval of meeting minutes: Regular Meeting, February 26, 2002; Special Meeting Study Session February 28, 2002; Special Meeting Study Session March 4, 2002; Special Meeting March 9, 2002.

Approval of Warrant List Dated: March 8, 2002 in total amount of \$878,750.48 and dated March 15, 2002 in total amount of \$235,490.08 and March 5, 2002 in total amount of \$158,412.40.

Written Communication 1). Rec. 3/18/02 from PG&E re. retained generation in PG&E's 2003 General Rate Case.

Motion to approve Claims Management Report. (None)

CONTINUED Resolution approving award of Contract to Insituform Technologies, Inc. for the amount of \$478,999.50 for the Sanitary Sewer Rehabilitaton Project – Basins 9,11,12 & 15 Pipeliners, City Contract Number 400.

Ordinance No. 978 amending Chapter 2 of the Municipal Code. (2nd reading and adoption)

Resolution No. 9212 designating the City Manager, the Director of Public Works and the Director of Finance as the Applicant's Agent under the Robert R. Stafford Disaster Relief and Emergency Assistance Act of 1988 and the Natural Disaster Assistance Act.

Resolution No. 9213 approving the Environmental Document for the US Highway 101 Bicycle/Pedestrian Bridge and Bikeway Project, City Contract No. 433.

Resolution No. 9214 approving the purchase of One Police Vehicle from Hayward Ford for an Amount not to Exceed \$29,208.60.

Consent Calendar approved as amended, on motion by C. Bauer, seconded by C. Wright, and approved unanimously, by show of hands, with C. Cook absent to adopt the Consent Calendar.

PUBLIC/HEARINGS

Public Hearing to consider an appeal filed on February 28, 2002, by Mr. Steven Eckert, regarding Planning Commission Action taken on February 19, 2002, denying a Setback Variance to allow a proposed deck expansion to encroach into the required 15-foot rear yard setback for property located at 1814 Oak Knoll Drive, being Portion of Lot 8, Block 9, Belmont Country Club Properties Subdivision No. 1, Assessor's Parcel No. 044-064-080.

Community Development Director Ewing explained that even though this meeting had been noticed, the minutes from the Planning Commission meetings where this item was heard had not been approved yet. He stated that these minutes should be ready to transmit to the Council in the next several weeks and asked if the hearing could be continued to May 14th.

Mayor Warden opened the public hearing.

Mr. Eckert, 1814 Oak Knoll, requested that this hearing be heard at a sooner date.

City Manager Kersnar explained that the April 23rd meeting had two large items already scheduled. He explained that he was concerned that the minutes had not been approved by the Planning Commission yet, and if there were changes or concerns they would have to be held off until the next Planning Commission meeting for approval. He said this May date would provide flexibility to the staff and Commission to remedy any concerns that may arise with these minutes.

Action: on motion by C. Bauer, seconded by C. Wright, and approved unanimously, with C. Cook absent, to continue hearing to May 14th.

OLD BUSINESS

Discussion regarding Council Priority Calendar – Ranking Process.

Assistant City Manager Rich reported that this priority calendar process was created to review and prioritize current and proposed Council study items. He requested that the Council use a ranking system to determine the projects they would like to have added to the current project list. Assistant City Manager Rich explained he would tabulate the results and report back following the next agenda item.

Council concurred with this process and handed in their ranking sheets.

Council discussion and vote for Arts, Park and Recreation, and Youth Commissioners.

Council concurred that all the candidates had been outstanding. They thanked everyone for responding to serve on commissions.

Mayor Warden stated for the record that he had listened to the interview tape from the commission interview meeting on February 28th and was prepared to vote.

C.Cook arrived at 8:25 P.M.

Action: on motion by C. Wright, seconded by C. Bauer, and approved unanimously, by show of hands, to adopt:

Resolution No. 9215 making appointments to the Arts Commission for terms to expire on the first day of March, 2004. (Allen, Horowitz, 1 seat left vacant)

Action: on motion by C. Wright, seconded by C. Bauer, and approved unanimously, by show of hands, to adopt:

Resolution No. 9216 making appointments to the Parks and Recreation Commission for three terms to expire on the first day of March, 2004, and one term to expire on the first day of March, 2003. (Dutto, Singer, King, 2004;Shjeflo, 2003)

Action: on motion by C. Bauer, seconded by C. Cook, and approved unanimously, by show of hands, to adopt:

Resolution No. 9217 making appointments to the Youth Parks and Recreation Commission for terms to expire on the first day of March, 2003.(Shine, Goodwin)

Review of Rankings related to Priority Calendar.

Assistant City Manager Rich reported the Council project rankings. He explained that he would incorporate these findings into the project calendar and return at the next meeting for Council approval.

PUBLIC COMMENTS AND ANNOUNCEMENTS (*continued*)

There were no public comments

MATTERS OF COUNCIL INTEREST/CLARIFICATION

**Discussion and direction regarding amending the Tree Ordinance, policy on tree replacement.
(Warden)**

C.Warden referred to a letter received from a Planning Commissioner requesting that the tree ordinance policy be revisited to require tree replacement of value equivalent for all protected trees, or planting fees equivalent to appraised value of trees removed.

Council concurred to revisit this issue and requested that it be added to the list of projects to be considered in six months.

ADJOURNMENT at this time being 8:35 P.M. this meeting was adjourned to closed sessions.

Kathy Kern

Belmont City Clerk

Meeting Tape Recorded and Televised

Tape No. 521

SPECIAL MEETING: 8:35 P.M.

CLOSED SESSIONS

A. Conference with Legal Counsel, anticipated litigation pursuant to Government Code Section 54956.9

1 Case

B. Conference with Legal Counsel, ongoing litigation, pursuant to Government Code Section 54956.9

Gomes vs. City of Belmont Small Claims Case No. 99076

Attended by Councilmembers Metropulos, Cook, Wright, Bauer, Warden, City Manager Kersnar, Assistant City Manager Rich, City Attorney Savaree, Attorney Zaffarano, Mr. Mora, SAMCAT Representative. City Clerk Kern was excused from attending.

ADJOURNMENT at this time being 9:55 P.M., this meeting was adjourned.

Kathy Kern

Belmont City Clerk

Meeting not tape recorded